

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
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Attorneys for Secured Creditor  
PNC Bank, National Association

In Re:  
Theresa A. Payne a/k/a Theresa A. Gitto  
John J. Payne  
Debtors



Order Filed on March 12, 2025  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 22-15611 MBK

Adv. No.:

Hearing Date: 3/12/2025 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: March 12, 2025**

A handwritten signature in black ink, reading "Michael B. Kaplan".  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

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Debtors: Theresa A. Payne a/k/a Theresa A. Gitto & John J. Payne

Case No: 22-15611 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PNC Bank, National Association, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 19 Tiller Drive, Barnegat, NJ, 08005, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Robert Cameron Legg, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of March 7, 2025, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due December 2024 through March 2025 for a total post-petition default of \$3,975.42 (4 @ \$1,131.30; less suspense \$549.78); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$3,975.42 will be paid over six months by Debtor remitting \$662.57 per month, which additional payments shall begin on April 1, 2025 until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume April 1, 2025, directly to Secured Creditor's servicer (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$199.00 for filing fees, totaling \$549.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.

In re:  
John J. Payne  
Theresa A. Payne  
Debtors

Case No. 22-15611-MBK  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin

Page 1 of 2

Date Rcvd: Mar 13, 2025

Form ID: pdf903

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 15, 2025:

Recip ID	Recipient Name and Address
db/jdb	+ John J. Payne, Theresa A. Payne, 19 Tiller Drive, Barnegat, NJ 08005-1726

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 15, 2025

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 13, 2025 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Robert Cameron Legg	on behalf of Joint Debtor Theresa A. Payne courtdocs@oliverandlegg.com;legg.r.c.r59915@notify.bestcase.com
Robert Cameron Legg	on behalf of Debtor John J. Payne courtdocs@oliverandlegg.com;legg.r.c.r59915@notify.bestcase.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

District/off: 0312-3

User: admin

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Date Rcvd: Mar 13, 2025

Form ID: pdf903

Total Noticed: 1

TOTAL: 5